

# Safeguard



**Texas Education Agency**

**Safeguard:  
Educator and School-Worker Fingerprinting and Background Checking**

**2009 NASCIO Recognition Award Nomination**

**Digital Government: Government to Government (G to G)**

**State of Texas**

## EXECUTIVE SUMMARY

During the 2007 legislative session, Senate Bill 9 (SB 9) was passed to require background checks for those who have access to students in a public school setting and to ensure that individuals who have certain kinds of serious criminal history be prevented from working in or removed from schools. The Texas Education Agency (TEA) Safeguard system, released in January 2008, facilitates the fingerprinting and criminal background check of certified classroom teachers, administrators, counselors, educational diagnosticians, and aides, as well as non-certified employees, substitutes, contractors and charter school teachers.

The Safeguard system is used by over 1,200 Texas school districts, education service centers, and charter schools, representing over 10,000 schools. Approximately 30 TEA investigations and fingerprint specialists use the system every day to protect the State's 4.6 million students. During its first four years of operation, the system is expected to manage the fingerprinting and background checks of more than 1 million teachers and other employees.



The implementation of SB 9 required cooperation between the Texas Legislature, the Commissioner of Education, the State Board of Educator Certification (SBEC), Texas Comptroller of Public Accounts, TEA Information Technology Services, TEA Investigations, TEA Legal, TEA Accounting, Texas Department of Public Safety (DP, FBI, L1 Identity Solutions, Independent School Districts, Regional Service Centers, and the State's public and charter schools.

To meet the hard production rollout deadline of January 1, 2008, set by the Legislature, the Safeguard system requirements were being defined even as the legal interpretations, policies, procedures, and logistics supporting SB 9 were still being ironed out. The criticality of the SB 9 requirement combined with the large number of organizations that were involved meant that every detail required significant planning, discussion, coordination, and multiple approvals.

To accommodate the fluidity of requirements, an agile development approach was used. This allowed the development team to accommodate frequent changes as details were finalized across the various stakeholders. Despite the challenges, the Safeguard system was deployed on time and within budget. For the last 17 months, the Safeguard system has managed over 30,000 fingerprints per month.

## DESCRIPTION OF BUSINESS PROBLEM AND SOLUTION

### Problem Statement

Protecting the state's 4.6 million children from violent persons or sexual predators is among the highest of priorities for Texas public policy. Lawmakers wanted to make sure that criminals who might harm Texas school children would be prevented from obtaining employment in our schools. Teachers and other staff already in the school system with questionable criminal histories would be dismissed. Employees who commit future crimes indicating a danger to children would be removed immediately. The goal of SB 9 is to ensure that no one slips through the cracks.

### Challenges

As one of the highest legislative priorities for the 80<sup>th</sup> Texas legislative session, Senate Bill 9 was passed and signed by the Governor on June 15, 2007. Reflecting the urgency of the State's elected leaders, the new law set January 1, 2008 as the date when a greatly expanded criminal background check system must go into production.

Normally, it would take at least six months for such sweeping legislation to be translated into a set of detailed procedures and logistical plans, particularly with the large number of organizations that would need to be involved. System development would need to occur in parallel. Early software estimates indicated developing an entirely new system was at best risky and more likely not feasible in the time frame.

TEA had a legacy system for managing teacher certification, SBEC Online, which included features for orchestrating the fingerprinting and background checks, but only for new teachers and for renewals. SB 9 now required that this scope be expanded ten-fold to include all existing teachers and also non-certified school staff. The existing system was already near its end of life and was slated for replacement. It was too slow for its current load and could not be scaled to meet the SB 9 requirements.

In addition to supporting a high volume of transactions, the new system must be highly secure to protect the privacy of persons being processed. It must be highly reliable and available, since new applicants could not be hired until cleared. It must also be accurate in its results, since the personal consequences of a negative report are so significant. And no one must slip through the cracks.

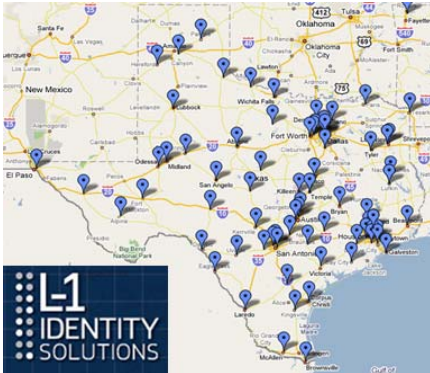
### Solution

Faced with the dilemma of having a legacy system that could not be scaled and a timeframe that was too short for a new development effort, the development team designed a hybrid solution that would use the existing legacy system for

## Texas Education Agency Safeguard Application

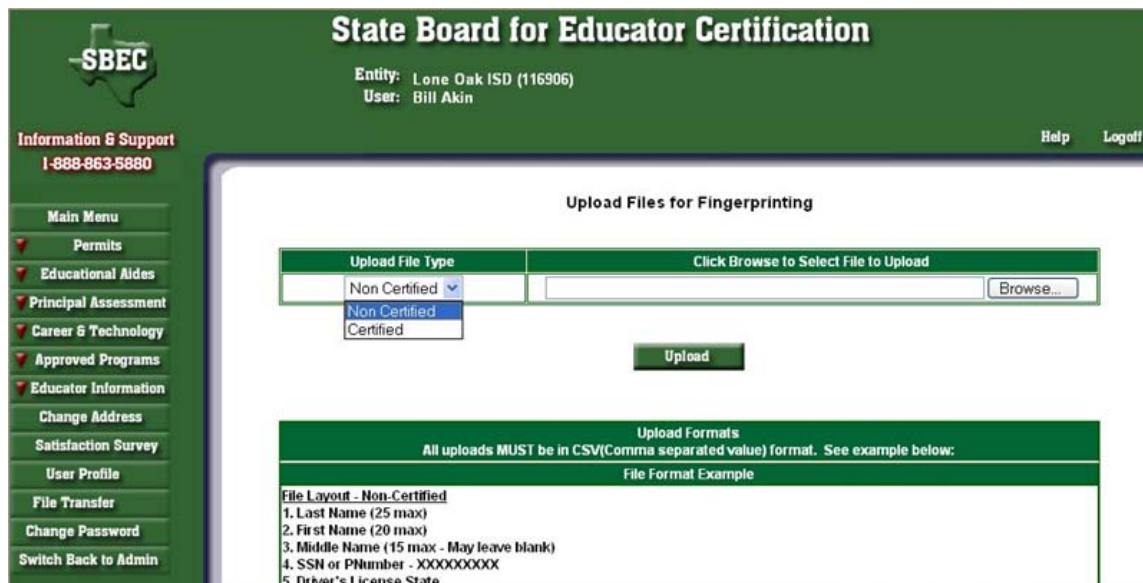
some of the lower volume functions and then integrate a new high-performance component that would handle most of the load.

To meet the volume and logistical requirements of fingerprinting a million persons over four years, the Texas Department of Public Safety (DPS) entered into a



contract with a vendor, L1 Identity Solutions, to collect fingerprints electronically at over 80 L1 offices around the State. L1 would also provide mobile facilities to fingerprint on-site at larger districts to minimize the disruption to the classroom day. L1 uses Live Scan Devices (LSDs) that take fingerprints digitally (i.e., no ink used, just scanned from a glass reader). This gives a 95%+ success read rate as compared to a 60% success rate with ink cards.

The legacy SBEC Online system is used to upload lists of persons requiring fingerprinting. School districts were already familiar with this application. Certified teacher uploads are handled by SBEC Online as usual, but the higher volume of non-certified persons are passed off to the new system component. This new Safeguard component was developed in Java and deployed on AIX servers with partitioned eight-CPU dual-core processors running WebSphere Process Server. The new software keeps a similar look and feel to the legacy system to minimize training requirements and to make the two software programs transparent to users. All new screens passed accessibility testing.



**State Board for Educator Certification**

Entity: Lone Oak ISD (116906)  
User: Bill Akin

Information & Support  
1-888-863-5880

Help Logoff

### Upload Files for Fingerprinting

Upload File Type	Click Browse to Select File to Upload
Non Certified	<input type="text"/> Browse...
Non Certified	
Certified	

Upload

#### Upload Formats

All uploads MUST be in CSV(Comma separated value) format. See example below:

File Format Example
<b>File Layout - Non-Certified</b>
1. Last Name (25 max)
2. First Name (20 max)
3. Middle Name (15 max - May leave blank)
4. SSN or PNumber - XXXXXXXXX
5. Driver's License State

When a person is uploaded by a school district, the Safeguard system checks to see whether or not that person has been previously fingerprinted. If not, the system generates a PDF ticket, called a FASTPass, which districts download,

print, and provide to the individual to take with them to be fingerprinted. The system uses secure FTP to send L1 the list of individuals to be fingerprinted.

The individual makes an appointment with one the L1 locations online, using their personal identification and a generated fingerprint ID on the FASTPass. L1 securely transmits the electronic fingerprints with the identification information directly to DPS for the criminal background check.

DPS conducts a Texas criminal background check and forwards the fingerprints to the FBI for a national background check. Using a secure link with DPS, the Safeguard system accepts the results of the DPS and the FBI background checks and identifies those persons with a criminal history. The system forwards the records of those persons flagged with any prior offense to the TEA Investigations department and supports the workflow required to make an employability determination. In addition, TEA and the appropriate district are automatically registered to be notified by DPS of any future offenses committed by any of the persons fingerprinted.

Funds collected for the fingerprinting fees offset the cost of staff needed to perform background checking and investigations, making those labor costs self-funding.

### **Project Management**

When SB 9 was signed on June 15, 2007, a project team had already been hired and assembled in TEA's Information Technology Services department to replace the legacy SBEC Online system. New Java and WebSphere development tools were already in place and a new set of scalable AIX servers had just been delivered. This allowed TEA's CIO to be in a position to respond to the high priority requirements and short deadline levied by SB 9. The SBEC Online Rewrite team was reassigned to be the SB 9 team.

The development team consisted of six developers, a technical lead, two business analysts, and a project manager. An agile development approach was executed to deal with the high degree of requirements uncertainty and change. One business analyst served as the liaison to the myriad stakeholders in the process, while the other business analyst maintained the requirements and user interface baseline and kept the development team aware of pending requirements changes.

The hybrid architecture made use of the legacy SBEC Online to accept fingerprint request uploads and to handle the interface to DPS and FBI. The new high-performance Java component handled FastPass generation, the interface to L1, status reporting to the districts, and orchestrating the Investigations department's workflow.

End-to-end development took approximately four person-years over five months. The Safeguard application went into production on January 3, 2008. There was no time for a beta test or shakeout period. The first week of operation was “bumpy.” As TEA’s Director of Investigations put it, “Pretty much anything that can go wrong did go wrong.”

This was the highest profile rollout in TEA history, garnering attention from the governors’ office down through the Commissioner of Education and including the statewide press. Within a week, all of the major program issues were resolved. Within two weeks, most of the other logistical issues were fixed. And within a month, the application was working very well.

For a relatively small investment, TEA’s ability to process background checks was boosted tenfold. The TEA development team executed an innovative hybrid solution that was implemented against a near impossible schedule.

### **Length of Time in Operation**

The Safeguard system has been operational for 17 months, successfully processing more than 30,000 background checks per month. Prior to SB 9 and the development of the Safeguard system, the original SBEC Online system processed approximately 4,000 fingerprints a month for new and renewing certified teachers.

### **Leverage and Transferability**

While the Safeguard system is only used within the Texas school system, the fingerprint logistical infrastructure established for SB9 by DPS and their vendor L1 is today used by many other state agencies for background checks.

### **Communications Plan**

To deal with what TEA has labeled the “fingerprinting blitz,” a comprehensive communication plan was developed. The 1,250 Texas school districts, education service centers, and charter schools needed to know how to execute the designated fingerprint process. All of the teachers and staff in the state’s 10,000 schools needed to be provided timely and accurate information as to how this would impact them. In addition, the public needed to be informed, since the process would immediately impact those seeking employment in our school system.

District communications were key, since they could be leveraged to inform district employees and the local constituency. TEA quickly generated letters, streams of emails, and web-based communications. Districts sent representatives to be briefed at TEA. As the rollout neared, training sessions were provided at TEA and in the field. TEA personnel visited districts in January to ensure a smooth roll-out.

Press releases and events involving the Lt. Governor and the Commissioner of Education kept the public informed. Districts responded with their own local communications and press coverage.

## **SIGNIFICANCE**

### **Policy, Strategy, and Goal Alignment**

In 2007, Lieutenant Governor Dewhurst led the Texas Children First Initiative to focus on making Texas school children safer. In addition to SB 9, which focused on preventing possible predators from having contact with children through our school system, the 80<sup>th</sup> Texas

Legislature also passed one of the toughest Jessica's Laws in the nation, imposing stringent new penalties against child predators, including life in prison without the possibility of parole for repeat offenders.

### **Beneficiaries**

Texas schools are now a safer place for children. As a result of the implementation of SB 9 and the Safeguard system, the risk of violence or predation against schoolchildren is significantly reduced.

The new system is critical for TEA to be able to fulfill its commitment to the families and citizens of Texas to safeguard its students.

**“Two years ago, I was so shocked when I met Mark Lunsford. We’ve all heard of Jessica’s law. Little Jessica Lunsford who was so savagely killed over in Florida by a man who worked in her elementary school, that had been arrested 23 times for trying to break and enter and grab kids in the school. Officials had no idea.**

**“Now, our teachers, our workers are great here in Texas. But what do we tell – even if we had just one bad apple out there – what do we tell that parent? We didn’t do everything we could?”**

-- Lt. Gov. David Dewhurst, at the press conference announcing the rollout of the Safeguard system

## **BENEFIT OF THE PROJECT**

Child safety, not a financial return on investment, was the primary focus of the Safeguard project. Lawmakers viewed the well-being of Texas school children as an urgent goal, regardless of the project’s potential costs or benefits.

Since January of 2008, over 275,000 individuals have been fingerprinted. Approximately 1% had some sort of “hit” from the DPS and FBI background checks. Of these, 2175 were serious enough offenses to warrant opening an investigation. From those investigations, 343 individuals were either denied employment or removed from their school system job.

We are proud that we are meeting our goal of making children safer in Texas.